

### **REMARKS**

This Amendment is in response to the Office Action of June 3, 2005. Applicants respectfully submit that all the claims presently on file are in condition for allowance or appeal.

### **THE CLAIMS**

#### **REJECTION UNDER 325 USC 102**

Claims 1-7, 10-12, 14-18, and 20 were rejected under 35 U.S.C. 102(a) as being anticipated by ScanWise 2.00 Print out (hereinafter referred to as "Printout"). Applicants respectfully submit that Printout does not disclose all the elements and limitations of the claims, as currently amended. Consequently, claims 1-7, 10-12, 14-18, and 20 are not anticipated under 35 U.S.C. 102, and the allowance of these claims is earnestly solicited. In support of this position, Applicants submit the following arguments:

#### **A. Legal Standard for Lack of Novelty (Anticipation)**

The standard for lack of novelty, that is, for "anticipation," is one of strict identity. To anticipate a claim for a patent, a **single prior source must contain** all its essential elements, and the burden of proving such anticipation is on the party making such assertion of anticipation. Anticipation cannot be shown by combining more than one reference to show the elements of the claimed invention. The amount of newness and usefulness need only be minuscule to avoid a finding of lack of novelty.

The following are two court opinions in support of Applicants' position of non anticipation, with emphasis added for clarity purposes:

- "Anticipation under Section 102 can be found only if a reference shows **exactly** what is claimed; where there are **differences** between the reference disclosures and the claim, a rejection must be based on obviousness under Section 103." *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985).
- "**Absence** from a cited reference **of any element** of a claim of a patent negates anticipation of that claim by the reference." *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986), on rehearing, 231 USPQ 160 (Fed. Cir. 1986).

#### **B. Brief Summary of the Present Invention**

Prior to discussing the merit of the substantive obviousness and anticipation rejections in the final office action, it might be desirable to review, once again, a summary of the present invention and some of the features provided thereby.

In general, corporate entities typically collect, manage, and review massive amounts of information electronically on a daily basis. These processes are usually cumbersome and error-prone due to manual updates to related data and documents. The high error rates are caused by missing or wrong key information. In addition, there may be data inconsistencies.

These processes also tend to be user-unfriendly, hampering workflow and decision making due to their lack of integrating textual and numerical information. They further lack in efficiency, since duplicate information fields are entered and re-entered manually. Re-keying of certain data, presents another set of issues, namely reduced productivity and increased possibility of data entry errors. Furthermore, these processes are inflexible in handling data changes during the information gathering stage.

The present invention addresses these shortcomings and enables user-friendly, error-free data entry with minimal or no inconsistencies, thus increasing productivity and promoting a flexible method for the visualization of complete and coordinated information contained on a plurality of form pages.

To this end, the system of the present invention uses an electronic checklist (or cover) that enables the automated population of data fields in the checklist, and the reuse of the collected data in other applications. The system of the present invention reuses data entry in a plurality of integrated software applications directed to the management of information within an enterprise.

In operation, a user initiates a request to image documents through a coversheet application. This coversheet application features an electronic checklist, which is used to validate critical data elements. The data elements are related to the document content. One feature of the present invention is that the data elements are dynamic, that is they are not fixed,

in order to reflect updates to the document content.

Based on the input, other data fields are populated automatically through links to other applications. The data collected in the coversheet will be used for automated indexing. The data collected can also be fed to other applications. The application is also the entry point for the submitter to check the status of the document submission and search for archived images. More specifically, the collected data could be reused as index values, to assist in storing the document and to further assist in searching for, and locating the document based on the document content.

### **C. Application of the Anticipation Standards to the Present Invention**

The allowability of the claims will now be reviewed in light of the representative claim 1.

The Printout reference generally relates to a method of scanning a document for creating an electronic image of the document. This electronic image of the document (e.g., scanned object) can be re-used in other applications.

However, **Printout does not describe a cover sheet** that includes data related to the **content of the document**. Rather, the cover page described in Printout includes properties of the scanned document, which properties

are related to the characteristics of the electronic image, such as grey-scale, rotation, color, etc., but not the content of the document.

Contrary to Printout, the cover sheet of the present system (as recited in representative claim 1) is intended to hold business information related to the content of the document. The present system reads this business information from the cover sheet, validates this information, and stores it. The stored business "content" information could be automatically re-used as index values, in order to store the electronic document itself, and further to search for the document. It also enables the automatic reuse of the business data related to the electronic document itself (i.e., content) into other applications, thus preventing any retypes and minimizing typing errors.

In addition, Printout uses the properties of the electronic image of the document but does not make use of the actual content of the document. More specifically, the document properties are not related to the document content (e.g., the business values of the picture or words inside the document).

Furthermore, the document properties in Printout are predefined, that is fixed, and are not dynamic in that they are not amenable to change or selection by the user. More specifically, the document property values form part of the file (e.g., grey-tone, number of pixels, rotation, etc.) and they cannot be selectively or dynamically changed or expanded.

Moreover, claim 1 has been amended to clarify that the populated data in the cover sheet, which relate to the content of the document, could be used to store, search, and locate the document. Contrary to the present invention, Printout does not use the content of the document as part of the document properties, to store, search, and locate the document.

The following illustration clarifies the present invention and exemplifies some of its distinctive features over Printout. The present invention allows a cover sheet to be added to the image of the document. The cover sheet holds business data related to the content of the document image. As an example, the cover sheet according to the present invention holds the following information:

Customer name: "Cakes"  
Customer Address: "4724 Edwards Street"  
Customer City: "Alexandria, Virginia 22312"

The values of the customer name, address, and city are validated, that is checked with related customer records application, whether this customer exists or not. If the customer does not yet exist, the present system automatically creates a workflow, re-using the values of customer name, address, and city, by automatically re-using/inserting those values in the related customer records application as entry for a new customer to be registered. Contrary to the present invention, Printout is not capable of using this content related information.

The present invention enables the reuse of the same values (e.g., customer name, address, etc.) in a related CRM system, ensuring that, for example, a customer relations manager writes a letter back to the customer, advising the customer that the phone number provided by the customer, is incomplete.

In summary, numerous features and elements are missing from the cited reference, Printout, and thus, according to the foregoing legal authorities, the independent claims 1, 14, and 20, and the claims dependent thereon are not anticipated by Printout, and are thus allowable.

#### **REJECTION UNDER 325 USC 103**

Claims 8-9, 13, and 18-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Printout as applied to claims 1 and 7 above, and further in view of Anderson et al., US 2001/0054106 A1, provisional filed 23/2000, reasoning that Printout does not explicitly teach that the critical data elements include a customer number, or a customer master record, and that Anderson teaches attaching extra information, such as invoice number, last payment date into a scanned image for reuse by different applications (Anderson, [0020]).

Applicants respectfully submit that the claims on file are not obvious in view of cited references, in that Applicants are not claiming the well known concepts of: a customer number, or a customer master record, and the reuse of such information, independently from the remaining elements and

features of the claims. Rather, the **invention must be considered as a whole**, that is these concepts need to be considered in conjunction with the other features of the claims, in particular the allowable independent claims 1 and 14.

In addition, the rejected claims are allowable for depending on allowable claims 1 and 14.

### **CONCLUSION**

All the claims presently on file in the present application are in condition for immediate allowance, and such action is respectfully requested. If it is felt for any reason that direct communication would serve to advance prosecution of this case to finality, the Examiner is invited to call the undersigned at the below-listed telephone number.

Respectfully submitted,

Date: August 26, 2005

Samuel A. Kassatly Law Office  
20690 View Oaks Way  
San Jose, CA 95120  
Tel: (408) 323-5111  
Fax: (408) 521-0111



---

Samuel A. Kassatly  
Attorney for Applicants  
Reg. No. 32,247